

**United States Court of Appeals****for the Fourth Circuit**

1100 East Main Street, Suite 501, Richmond, VA 23219

**APPEAL NO. 19-4758****USA v. Hill****EMERGENCY MOTION****TO STAY EXECUTION OF JUDGMENT OF THE DISTRICT COURT**

1. Appellant previously had filed a motion for stay in the District Court (See District Court Docket No. 192, 1:13-cr-435 M.D. North Carolina filed September 18, 2019) and "DECLARATION of BRIAN DAVID HILL re: [192] Motion to Stay for stay of judgment pending appeal and its supporting memorandum of law - emergency motion" (See District Court Docket No. 193, 1:13-cr-435 M.D. North Carolina filed September 18, 2019), but the District Court denied that motion based on the motion having been filed pro se while having appointed counsel. (See District Court Docket No. 198, 1:13-cr-435 M.D. North Carolina filed October 4, 2019) See Doc 192 and Doc 193 and attachments attached as exhibit.
2. The District Court issued a **Judgment** dated October 4, 2019 which was filed on October 7, 2019 ordering the Appellant (Hill) to "surrender to the United States Marshal for the Middle District of North Carolina or to the

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FOURTH CIRCUIT

institution designated by the Bureau of Prisons by 12:00 p.m. on December 6, 2019." Doc 200 at page 2.

3. This Court of appeals may take judicial notice that the allegation supported by affidavit (i.e., Petition for Warrant, District Court Docket No. 200, 1:13-cr-435 M.D. North Carolina) which lead to the District Court's judgment and order (Doc 200) was filed on November 13, 2018 and alleged that the "probation officer believes that Mr. Hill has violated the following condition(s) of supervision: **Violation 1 - The defendant shall not commit another federal, state or local crime.**" Doc 157 at page 1 (emphasis in original). See Doc 157 attached as exhibit.
4. Notably, the judgment at issue (Doc 200) identified the violation differently, that being:

"The Defendant was found to have violated the terms and conditions of his supervised release. The violation(s) as follow were willful and without lawful excuse. Violation 1. On September 21, 2018, the Defendant **was arrested** for the commission of a crime." Doc 200 at page 1 (emphasis added).
5. This "was arrested" is the *only evidence* cited to by the judgment in support of revoking Appellant Hill's supervised release.
6. This Court of appeals may take judicial notice that the allegation supported by affidavit (i.e., Petition for Warrant, District Court Docket No. 200, 1:13-cr-435 M.D. North Carolina) which lead to the District Court's judgment and order (Doc 200) alleged "Mr. Hill was subsequently arrested for Indecent Exposure, in violation of Virginia Criminal Code § 18.2-37(*sic*),

a Class 1 Misdemeanor.” Doc 157 at page 2.

7. This Court of appeals may take judicial notice that a charge of violating Virginia Criminal Code § 18.2-37 was filed against Mr. Hill and is currently set for trial on December 2, 2019 before Martinsville Circuit Court – Criminal Division.
8. This Court of appeals may take judicial notice that the allegation supported by affidavit (i.e., Petition for Warrant, District Court Docket No. 157, 1:13-cr-435 M.D. North Carolina) which lead to the District Court's judgment and order (Doc 200) alleged:

“According to the police report, on the night of September 21, 2018, a report was received that a nude male had been observed running on a public park trail within the city limits. Officers responded and made contact with the male, later identified as Mr. Hill. Mr. Hill ran away from the officers and was shortly thereafter detained near a creek. Mr. Hill advised the officers that a “black man in a hoodie” made Mr. Hill “get naked and take pictures of himself.” Mr. Hill was in possession of a camera which he voluntarily allowed the officers to examine. The camera contained several nude photographs of Mr. Hill in different locations around the city of Martinsville.” Doc 157 at pages 1-2.

9. Notably, the allegations make reference to naked and nude but do not contain any reference to obscene or obscenity.
10. This Court of appeals may take judicial notice of an opinion of the Court of Appeals of Virginia (See <http://www.courts.state.va.us/wpcav.htm> ) summarized as “Trial court erred in finding evidence was sufficient to prove appellant made a display of his private parts and that such display was

obscene; conviction reversed and dismissed". Full opinion located at

<http://www.courts.state.va.us/opinions/opncavwp/1580124.pdf>

11. An arrest is only evidence of an allegation of a crime, not evidence of any of the elements of a crime. At best, the crime alleged by an arrest provides notice of the elements of a crime. At the very least, it must be shown by a preponderance of other evidence that each of the elements of the alleged crime was met before a finding of a violation for the commission of a crime holds any merit. The only evidence identified by the judgment only cites to "arrested for the commission of a crime" which is insufficient evidence, even under a preponderance of evidence standard, to show each of the required elements of a crime were met. In other words, the District Court's showing of evidence relied upon and the reasoning of the District Court as to why or how any condition of release was violated is insufficient to conclude that any probation violation occurred.

12. A violation of a conditions of probation should be detailed enough to provide a demarcation line to afford a defendant fair notice. In this case, that demarcation line is very detailed and clear when the condition is that the defendant is not to commit a "crime" because a "crime" is defined by elements which, when each element has been met, can serve as basis for a conviction of a "crime". Contrariwise, when any element of a defined crime has not been met with sufficient evidence, then there is insufficient evidence that the condition (i.e., not commit a crime) has been violated. In the case at



hand, the alleged condition violation is based on committing the “crime” defined by Virginia Criminal Code § 18.2-387 which has been addressed by the courts of Virginia (See e.g., *Kimberly F. Neice v. Commonwealth of Virginia*, Record No. 1477-09-3 in the Circuit Court of Giles County; see also *A. M. v. Commonwealth of Virginia*, Record No. 1150-12-4 in the Circuit Court of Shenandoah County; see also *Kenneth Samuel Moses v. Commonwealth of Virginia*, Record No. 0985-03-3 in the Circuit Court of Richmond. Note: these cases were also referenced by Appellant Hill in the District Court in ECF 179 at page 10.) These courts have found, concerning meeting all of the elements of the crime, that mere nudity is not a sufficient basis for a finding of obscene or indecent as would be required for Appellant(Hill) to have committed that crime. Based on the evidence in the District Court, Hill's conduct was not a crime because his actions did “not rise to the level of obscenity required under Code § 18.2-387, as defined in Code § 18.2-372.”

13. To support a finding that a crime was committed as defined by Virginia Criminal Code § 18.2-387, the District Court must have found, at least, by a preponderance of the evidence that Hill's "actions had as their dominant purpose an appeal to the prurient interest in sex" with "prurient interest in sex" meaning "a shameful or morbid interest in nudity, sexual conduct, sexual excitement, excretory functions or products thereof or sadomasochistic abuse, and which goes substantially beyond customary limits of candor in description or representation of such matters and which,

taken as a whole, does not have serious literary, artistic, political or scientific value." Such a finding has no support in the record of the District Court and the State cannot cure a statement of findings by the factfinder post hoc.

14. That is, if the sole evidence of being "arrested" is not the only evidence relied upon by the District Court then due process was not accorded to Appellant(Hill). Parole and supervised release are both conditional liberty but revocation of either is subject to the requirements of due process which includes "a written statement by the factfinders as to the evidence relied on and reason for revoking" . See *Morrissey v. Brewer*, 408 U.S. 471, 489-90 (1972).
15. Appellant(Hill) is likely to prevail on this appeal and there is likelihood of irreparable harm to Appellant(Hill) without a stay of the judgment (Doc 200) because of the judgment (Doc 200) possibly interfering with any potential appeal to the Court of Appeals of Virginia (i.e., depending upon the outcome of the trial on December 2, 2019). Conversely, there is no irreparable harm to Appellee in staying execution of the judgment, as, by its own terms, was already set out into the future for its execution and; if the judgment is proper, can still be executed in full after delaying its execution during the pendency of this appeal.

16. Appellant(Hill) has medical evidence of eczema, autism spectrum disorder, type 1 brittle diabetes, and obsessive compulsive disorder (ECF No. 193, 193-1, 193-2, 192,3, and 193-4). The requiring of an ankle monitor has negatively impacted his health making it more difficult for Appellant to function in everyday life. The U.S. District Court for the Western District of Virginia had released Appellant on bond conditions which did not require an ankle bracelet (\$20,000 unsecured appearance bond), the U.S. Attorney in Roanoke did not object to the bond conditions and did not push such an issue (ECF No. 176, 176-1, 176-2, 176-3, 176-4, and 176-5). It makes it more difficult for the United States Probation Officer Jason McMurray to supervise Appellant while going through the process. Appellant had filed the notice of interlocutory appeal (Doc 187) which proves that Appellant had arrived at the federal courthouse at an earlier time than the hearing. He is compliant with all conditions of bond, he is not a flight risk, and has exhibited a willingness to prove his innocence to the state charge of indecent exposure, and prove that he did not violate the conditions of supervised release by showing that he was legally innocent of his charge on September 21, 2018. No other charge or crime exists on the record, and the only charge was indecent exposure. Appellant had a high chance of being found legally innocent in the state court and legal innocence is actual innocence. Actual

innocence should weigh heavily in Appellant's favor in regards to a supervised release violation charge. There is a major difference between (1) beating a state charge but still being guilty of the violation, and (2) being legally innocent of a state charge and not being guilty of the violation as charged because the Appellant did not violate a state, local, or federal law as was outlined in the charge Document 157. Appellant has never even been charged with a contempt of court. Appellant has attended all mental health appointments and is on medication which helps with anxiety (anti-anxiety medication), medication which he had not been on around September 21, 2018. Appellant will continue attending all court proceedings as ordered, and will show his actual innocence of his state charge to the federal court if necessary to show that he did not violate his conditions of supervision.

Appellant has good legal reason and facts in his favor as to why this motion to stay execution of the judgment should be granted as soon as possible.

17. Appellant's (Hill's) Probation Officer Jason McMurray in the Western District of Virginia had been annoyed with dealing with the GPS ankle monitor by company/corporation BI, and had expressed to Appellant and his family that he does not want to enforce this GPS ankle monitoring condition if he does not have to. The District Court in the Middle District of North Carolina knew that Brian David Hill has suffered Obsessive Compulsive

Disorder (See District Court Docket No. 86, 1:13-cr-435 M.D. North Carolina filed April 29, 2015) since 2015 and his former Probation Officer had stated that *"The officer reported that due to his OCD, collecting urine specimens has been quite challenging due to his excessive hand washing."* The excessive hand washing and body washing (showering) routines due to his documented history of OCD is very challenging to his current Probation Officer. If the Court were to ask United States Probation Officer Jason McMurray if he would recommend that Appellant not be required to wear the ankle monitor due to his OCD hand washing and body washing routines, it is highly likely that USPO McMurray would recommend that Brian David Hill remain under the bond conditions prior to the September 12, 2019 hearing, which did not require the use of an ankle monitor. On October 19, 2019, due to Appellant's excessive OCD routines requiring that his body be washed to prevent germs and bacteria every time he uses the bathroom, it has possibly caused the device to malfunction and for a new ankle monitor to be placed on his ankle, and the original GPS ankle monitor had issues caused by soap suds and water causing multiple strap-tamper alerts when there was no tampering at all, and no intent to tamper. The BI brand of ankle monitor used by the Roanoke U.S. Probation Office that the Appellant is currently wearing is not waterproof and cannot withstand the excessive

bathing routines caused by Appellant's Autism Spectrum Disorder and his OCD. Appellant is temporarily having to be forced to wear plastic bags on his ankle to block any soap suds from seeping into the ankle monitor.

Appellant has suffered with this type of OCD for decades since childhood and it is not something that Appellant can help. Even USPO Jason McMurray's supervisory officer in Roanoke is not in favor of having to deal with the false positive alerts coming from the BI company/corporation brand GPS ankle monitor. It is clear that the Western District of Virginia knew of why Brian David Hill was accused of a Supervised Release Violation (See District Court Docket No. 176, 1:13-cr-435 M.D. North Carolina filed May 15, 2019), but the Court through the Honorable U.S. Magistrate Judge Robert S. Ballou had trusted Appellant to be released on conditions which had included curfew without the ankle monitor. The fact that the United States District Court in Roanoke, Virginia did not require an ankle monitor and had trusted Appellant not to be required to wear one during the bond conditions and Appellant had attended all federal court hearings as required, there is no need to force the Appellant to wear an ankle monitor with a documented history of eczema, OCD, Autism, and Type 1 brittle diabetes. Appellant was better off on the bond conditions prior to the unreasonable conditions set by the Hon. Judge Thomas D. Schroeder of the U.S. District



Court (North Carolina, Middle District) on September 12, 2019. It is clear that these conditions were set over the issue of the supervised release violation over a state charge that he is legally innocent of because there is no evidence of obscenity, and obscenity is required to find a violation of indecent exposure under Virginia code. The Appellant can also prove to this Court in the transcript of September 12, 2019, that Government's witness Officer Robert Jones admitted under oath that Brian wasn't being obscene. If he was referring to the Virginia definition of obscenity, then he had admitted under oath that Brian David Hill wasn't being obscene on September 21, 2018, and therefore did not violate Virginia law or any law that day. With no law being violated on September 21, 2018, Appellant did not engage in the commission of a crime and no evidence of a commission of a crime exists to warrant revocation. An arrest does not equal a violation of law.

WHEREFORE, Appellant requests a stay of execution of the judgment (Doc 200);

WHEREFORE, Appellant requests that the modification of the Bond conditions (supervised release conditions) as ordered from September 12, 2019 and written into Doc 200 be stayed of execution pending appeal;

WHEREFORE, Appellant requests any other relief that the Court deems necessary and proper.

INCLUDING DOC 157 as an attachment/exhibit.  
2 Pages total

INCLUDING DOC 192 as an attachment/exhibit.  
6 pages total

INCLUDING DOC 193 as an attachment/exhibit.  
16 pages  
Exhibit 1 – 3 pages  
Exhibit 2 – 10 pages  
Exhibit 3 – 4 pages  
Exhibit 4 – 4 pages  
37 pages total

-Note to Clerk: These are exhibits from the record in the District Court-

Respectfully submitted, this the 26th day of October, 2019.

Respectfully submitted,

Brian D. Hill

Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

**U.S.W.G.O.**

Former U.S.W.G.O. Alternative News reporter

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Stan's blog: [JusticeForUSWGO.wordpress.com](http://JusticeForUSWGO.wordpress.com)

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Appellant hereby certifies that on October 26, 2019, service was made by mailing the original of the foregoing:

**“EMERGENCY MOTION  
TO STAY EXECUTION OF JUDGMENT OF THE DISTRICT COURT”**

by deposit in the United States Post Office, in an envelope (Priority Mail Express), Postage prepaid, on October 26, 2019 addressed to the Clerk of the Court in the United States Court of Appeals for the Fourth Circuit, 1100 East Main Street, Suite 501, Richmond, VA 23219.

Then pursuant to 28 U.S.C. §1915(d), Appellant requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:Anand.Ramaswamy@usdoj.gov">Anand.Ramaswamy@usdoj.gov</a>	
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This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing:</p> <p><u>October 26, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u> Signed</p> <p>Signed</p> <p>Brian D. Hill (Pro Se)</p> <p>310 Forest Street, Apartment 1</p> <p>Martinsville, Virginia 24112</p> <p>Phone #: (276) 790-3505</p> <p><b>U.S.W.G.O.</b></p> <p>I stand with QANON/Donald-Trump – Drain the Swamp</p> <p>I ask Qanon and Donald John Trump for Assistance (S.O.S.)</p> <p>Make America Great Again</p> <p>JusticeForUSWGO.wordpress.com</p>
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**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT**  
**Effective 12/01/2016**

No. 19-4758 Caption: United States v. Brian David Hill

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT**  
Type-Volume Limit, Typeface Requirements, and Type-Style Requirements

**Type-Volume Limit for Briefs:** Appellant's Opening Brief, Appellee's Response Brief, and Appellant's Response/Reply Brief may not exceed 13,000 words or 1,300 lines. Appellee's Opening/Response Brief may not exceed 15,300 words or 1,500 lines. A Reply or Amicus Brief may not exceed 6,500 words or 650 lines. Amicus Brief in support of an Opening/Response Brief may not exceed 7,650 words. Amicus Brief filed during consideration of petition for rehearing may not exceed 2,600 words. Counsel may rely on the word or line count of the word processing program used to prepare the document. The word-processing program must be set to include headings, footnotes, and quotes in the count. Line count is used only with monospaced type. See Fed. R. App. P. 28.1(e), 29(a)(5), 32(a)(7)(B) & 32(f).

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(s) Brian D. Hill  
*signed*

Party Name Brian David Hill (USWGO)

*Motion for Stay*

Dated: October 26, 2019



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**UNITED STATES DISTRICT COURT  
for the  
Middle District of North Carolina**

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: BRIAN DAVID HILL Case Number: 1:13CR435-1  
Name of Sentencing Judicial Officer: The Honorable William L. Osteen, Jr.  
Date of Original Sentence: November 10, 2014  
Original Offense: Possession of Child Pornography in violation of 18 U.S.C. § 2252(A)(a)(5)(B) and (b)(2).  
Original Sentence: Custody of the Bureau of Prisons for 10 months and 20 days, but not less than time served, followed by 10 years supervised release.

April 29, 2015: Modification suspending mandatory drug testing was filed.

June 30, 2015: Supervised release violation hearing before the Honorable Thomas D. Schroeder. Supervised release was continued with the additional special conditions of six (6) months home incarceration and participation in a Cognitive Behavioral Therapy program.

September 4, 2015: Report of Offender Under Supervision was filed.

Type of Supervision: Supervised Release Date Supervision Commenced: November 13, 2014  
Date Supervision Expires: November 12, 2024

Assistant U.S. Attorney: Anand Prakash Ramaswamy

Defense Attorney: John Scott Coalter

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**PETITIONING THE COURT**

- [X] To issue a warrant. For compelling reasons, this petition and Warrant shall remain sealed until the Warrant is executed. The Clerk shall provide a copy of the petition and Warrant to the U.S. Attorney's Office and the United States Marshal Office.
- [ ] To issue a summons

The probation officer believes that Mr. Hill has violated the following condition(s) of supervision:

**Violation 1 - The defendant shall not commit another federal, state or local crime.**

On September 21, 2018, Mr. Hill was arrested by the Martinsville Police Department in Martinsville, VA for Misdemeanor Indecent Exposure. The offense date was September 21, 2018. Mr. Hill remains without bond at the Martinsville City Jail as of the date of this report. Mr. Hill's next scheduled court date is December 21, 2018.

According to the police report, on the night of September 21, 2018, a report was received that a nude male had been observed running on a public park trail within the city limits. Officers responded and made contact with the male, later identified as Mr. Hill. Mr. Hill ran away from the officers and was shortly thereafter detained near a creek. Mr. Hill advised the officers that a "black man in a hoodie" made Mr. Hill

**RE: Brian David Hill**

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"get naked and take pictures of himself." Mr. Hill was in possession of a camera which he voluntarily allowed the officers to examine. The camera contained several nude photographs of Mr. Hill in different locations around the city of Martinsville. Following an examination at a local hospital, Mr. Hill was medically and psychologically cleared. Mr. Hill was subsequently arrested for Indecent Exposure, in violation of Virginia Criminal Code § 18.2-37, a Class 1 Misdemeanor.

**U.S. Probation Officer Recommendation:**

- [X] The term of supervision should be  
[X] revoked.  
[] extended for    years, for a total term of    years.
- [] The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the forgoing is true and correct.

Executed on    November 6, 2018



Kevin M. Alligood  
U.S. Probation Officer Specialist

Approved by:

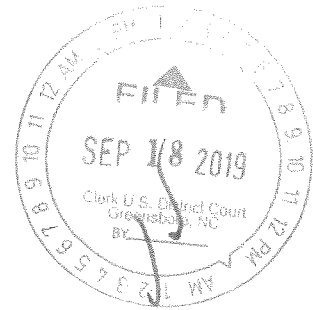


Edward R. Cameron  
Supervisory U.S. Probation Officer

November 12, 2018

Date

In the United States District Court  
For the Middle District of North Carolina



**Brian David Hill,**  
**Defendant**

**v.**

**United States of America,**  
**Plaintiff**

**Criminal Action No. 1:13-CR-435-1**

**DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING  
APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW –  
EMERGENCY MOTION**

NOW COMES the criminal Defendant Brian David Hill ("Brian D. Hill"), ("Defendant", "Brian", or "Hill"), by and through Brian David Hill who is acting Pro Se in this action before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves this Court for a stay of its September 12, 2019 Judgment ("judgment") and Order (Document No. 186) pending final appeal of this case. Hill also asks that the appearance bond conditions (Document No. 176, Attachment 3, Attachment 2) be reinstated for Hill's supervised release pending final appeal. A "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW" is also filed with this motion in support of such motion. This is pursuant to Fed. R. App. P. 8; Loc. R. 8. See also Loc. R. 18 (stay pending consideration of petition for review). Also pursuant to Rule 38. Staying a Sentence or a Disability, of the Fed. Rules of Crim. Procedure.

In the alternative, Hill requests that this Court stay those portions of its decision ordering for Hill to voluntarily surrender to federal prison on December 6, 2019, and of the GPS location monitoring since Hill had been completely compliant with the appearance bond conditions that such portions be stayed until the final appeal of this case.

Both the Notice of Interlocutory Appeal (Document #187; "PRO SE NOTICE OF APPEAL (Interlocutory) by BRIAN DAVID HILL re 183 Order on Motion to Continue. (Entered: 09/12/2019)"), and Notice of Appeal (Document #190; "PRO SE NOTICE OF APPEAL without payment of fees by BRIAN DAVID HILL. (Entered: 09/12/2019)"), were transmitted to the U.S. Court of Appeals for the Fourth Circuit. See Document #191, "*Electronic Transmission of Notice of Appeal and Docket Sheet as to BRIAN DAVID HILL to US Court of Appeals re: 187 Notice of Appeal – Interlocutory and 190 Notice of Appeal Without Fee Payment. (Daniel, J) (Entered: 09/13/2019)*".

Because the Defendant had filed a Notice of Interlocutory Appeal (Document No. 187) with the U.S. Probation Office in the federal courthouse in Winston-Salem around noon (12:00PM-12:30PM) since that courthouse has no manned clerk's office and was delivered to the CSO, and was noted before the hearing had begun, the Judgment on September 12<sup>th</sup> may had been a procedural due process error and an error of law regarding Hill's due process right to appeal a decision, the appeal should have been acted upon prior to commencement of such hearing. For this exact reason, the Defendant should be placed back on the appearance bond conditions (Document No. 176) that was set by the Western District of Virginia prior to the final appeal decision in this case. Brian had been compliant with the bond conditions and had attended all mental health appointments and was reportedly at the courthouse approximately two hours early. Brian poses no flight

risk and would be happy with the court reverting Brian's release conditions back to those conditions of his appearance bond before the erroneous judgment was made on September 12, 2019.

Brian had been documented (Document No. 86) as having Obsessive Compulsive Disorder ("OCD"), Type 1 brittle Diabetes and Generalized Anxiety Disorder. Brian also has eczema and being forced to wear an ankle monitor may exacerbate one or more medical conditions of Defendant on record.

The Hon. U.S. Magistrate Judge Robert S. Ballou under Document #176 and all attachments show that he approved of Defendant's bond conditions for the Supervised Release Revocation hearing, and that the "Government does not oppose bond" under Document #176-1 in the Middle District of North Carolina (Western District of Virginia Case #7:18-mj-00148, Document #21, Filed 05/14/19). He approved such bond conditions for Brian's release without requiring an excessive and harsh ankle monitor.

Analysis of "Rule 8. Stay or Injunction Pending Appeal; (a) Motion for Stay"

"(1) Initial Motion in the District Court. A party must ordinarily move first in the district court for the following relief: (A) a stay of the judgment or order of a district court pending appeal";

"(B) Approval of a bond or other security provided to obtain a stay of judgment"; or "(C) an order suspending, modifying, restoring, or granting an injunction while an appeal is pending."

There is a \$20,000 unsecured bond that was already posted in the Western District of Virginia, a bond with specific conditions has already been approved by the Court prior to the final revocation hearing which was appealed prior to the final revocation hearing (Notice of Interlocutory Appeal, Document #187) and was appealed right after the hearing (Notice of Appeal, Document #190), the Government in Roanoke did not object to the bond and conditions of that bond.



There is no good reason why the Defendant should not be placed back on the bond conditions and be relived of the ankle monitor (GPS location monitoring) as set forth by the Court prior to the appealed Judgment on September 12, 2019.

A bond or other security was already provided, and that appearance bond conditions would be reinstated if the Court of Appeals reverses the final judgment on September 12, 2019, by the Hon. Judge Thomas D. Schroeder.

Brian the Defendant prays for relief from the final judgment on September 12, 2019 from this court, pending appeal of the judgment that was made that day. God Bless America, god bless the good people in the U.S. District Court.

Respectfully filed with the Court, this the 17<sup>th</sup> day of September, 2019.

Respectfully submitted,

Brian D. Hill  
*Signed*

Signed

Brian D. Hill (Pro Se)  
310 Forest Street, Apartment 1  
Martinsville, Virginia 24112  
Phone #: (276) 790-3505

**U.S.W.G.O.**

Former U.S.W.G.O. Alternative News reporter  
I stand with QANON/Donald-Trump – Drain the Swamp  
Make America Great Again

CERTIFICATE OF SERVICE



Defendant hereby certifies that on September 17, 2019, service was made by mailing the original of the foregoing:

“DEFENDANT’S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW –EMERGENCY MOTION”

by deposit in the United States Post Office, in an Priority Mail envelope, Postage prepaid, on September 17, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Suite 1, Greensboro, NC 27401.

It is under Certified Mail tracking number 7017-2680-0000-5750-9139

Then pursuant to 28 U.S.C. §1915(d), Defendant requests that the Clerk of the Court move to electronically file the foregoing using the CMIECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:Anand.Ramaswamy@usdoj.gov">Anand.Ramaswamy@usdoj.gov</a>	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:angela.miller@usdoj.gov">angela.miller@usdoj.gov</a>
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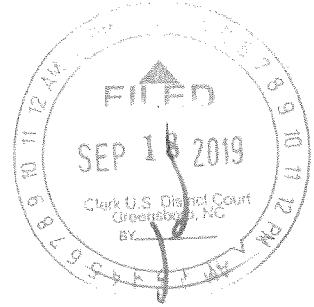
This is pursuant to Defendant's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

Date of signing:  <u>September, 17, 2019</u>	Respectfully submitted,  <u>Brian D. Hill</u> <i>Signed</i> Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 1
--	--

	<p>Martinsville, Virginia 24112 Phone #: (276) 790-3505 <b>U.S.W.G.O.</b> I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
--	--

Qanon  
Alliance/D.O.D  
help me  
S.O.S.

In the United States District Court  
For the Middle District of North Carolina



**Brian David Hill,**  
**Defendant**

**v.**

**United States of America,**  
**Plaintiff**

**Criminal Action No. 1:13-CR-435-1**

**DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF  
DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING  
APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW**

NOW COMES the Petitioner/Defendant Brian David Hill, by and through Brian David Hill ("Brian D. Hill", "Petitioner", "Defendant", "Brian", or "Hill"), that is acting pro se before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves to file this Declaration with the United States District Court in support of "Defendant's Motion for Stay of Judgment Pending Appeal and it's supporting Memorandum of Law." Evidence is attached below to this pleading.

I explain under penalty of perjury in this declaration as to my statement of facts as to why a motion to stay of judgment pending appeal is warranted.

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. I, Brian David Hill, am the criminal Defendant in this case as noted herein.

2. I have filed a 2255 motion in November, 2017 (See Document #125, and #128 the 2255 Brief/Memorandum of law) and all other documents in support of such motion. The 2255 case is still pending before this court. The fraud upon the court is still being investigated by me and any further frauds I discover that were committed by Assistant U.S. Attorney Anand Prakash Ramaswamy will be reported to the U.S. District Court in me pushing for reverse of judgment that was in Government's favor for fraud upon the court. I will not describe what additional frauds have been found from what the Government had presented during the Final Revocation Hearing on Sept. 12, 2019 at this time, but will be filing a motion asking for default judgment or summary judgment for my 2255 case in favor of Defendant/Petitioner in this case once I make a factual showing of a repeated pattern of fraud by AUSA Ramaswamy. I feel that the lies against me by the prosecutor will not be tolerated and will be revealed. His lies are making me suffer and had caused me to think of suicide again. I will not sit here and keep my mouth shut and let Ramaswamy be a bully to me without speaking up. I will not sit here and keep my mouth shut and let Ramaswamy using his bullying tactics, defamation of character, and legal terrorism to hurt me and my family. I will ask for the final Supervised Release Violation judgment to be reversed, and for default judgment on my 2255 case on the ground of Actual Innocence since the Government is perpetuating evidence fraud, witnesses who perjure, and knowingly makes false statements in attempts to discredit Brian David Hill, Susan Basko, Roberta Hill, and other witnesses. A repeated pattern of fraud upon the court by the plaintiff in my criminal case should be grounds for complete reversal of my conviction and constitutes that any final judgments should not be considered final and should not be subject to statutes of limitations under the Anti-Terrorism and Effective Death Penalty Act ("ADEPA"). I believe any and all fraudulent begotten judgments against me in this case should not stand. This is while the AUSA named



Ramaswamy pushes his witnesses to lie and make false statements before multiple hearings, and false statements in filings in this case against me. I may soon have evidence that can prove the Government's witness known as Sgt. Officer Robert Jones of Martinsville Police Department had made one or possibly more false statements while testifying under oath on the stand on the date of September 12, 2019 during the final revocation hearing. I will inform Attorney Renorda Pryor of these AUSA Ramaswamy pushed frauds upon the court once I document them and will push for default judgment in my 2255 case to overturn the wrongful conviction in this case. I will also sue Anand Prakash Ramswamy for damages and ask him to compensate me for any damages his frauds upon the court had caused me. I will ask to be compensated for all of the damages caused including my emotional anguish and thoughts of suicide caused by his lies and bullying. I had caught Kristy L. Burton on three or more lies on the stand during the revocation hearing on June 30, 2015 thanks to the transcript, and in 2018 even had an FBI duty agent (*I believe his name was Jerry Pickford, his direct number had a 336 area code at the Greensboro FBI office*) interested in investigating her to be prosecuted for perjury and I had also wanted the FBI to hold AUSA Ramaswamy accountable for subornation of perjury however the higher ups stopped the investigation last year in April or May, 2018. There seems to be a double standard for the Government here. The Government can destroy evidence anytime they want at their discretion if they feel it could hurt their case, they can put false information on any documents or records for the court or any Government agency, their witnesses can commit perjury at any court hearing that they want, and none of them are getting in any trouble because they seem to want to protect their own from criminal liability which is corruption and tyranny. They want me to accept responsibility to risk facing multiple counts of possible perjury due to my affidavits/declarations about my actual innocence (my 2255 motion was filed under

penalty of perjury, so accepting responsibility invalidates my actual innocence claim in my 2255 motion and can get me charged with perjury. Ramaswamy wants me in a perjury trap by forcing me to accept responsibility against my free will)

by getting me to falsely admit guilt (referring to my acceptance of responsibility), or be punished as non-compliant with my Supervised Release because I will not lie for the Government by falsely admitting guilt. I was clearly forced into that guilty plea agreement by ineffective counsel, me being misinformed and having assumptions when I never got to review over all discovery evidence material in my case before the jury trial in 2014. That deprives me of my constitutional right to discovery material (the Brady material), and my own former lawyer Eric Placke had deprived me of my right to access all discovery material to be able to assist my attorney in my own defense. I never was even able to see all of the materials that the Government had presented at the Final Revocation hearing on Sept. 12, 2019, until the day of the hearing. I didn't have the time to see what the Government was going to present there and could not prove that the Government was lying that day until further investigation is to be conducted and is being conducted since that final SRV hearing. I will prove that AUSA Ramaswamy is a liar and has been unprofessionally out to get me, and should be disbarred for his acts of legal terrorism also known as LawFare (Legal Warfare) against me and my family. I will also prove my legal innocence since Officer Jones admitted that I wasn't being obscene. The Commonwealth Attorney admitted at my state trial on December 21, 2018, that I wasn't charged with obscenity. My former state lawyer Scott Albrecht told me and my family with confidence that I wasn't being obscene (he even looked at the photos from my state case) and told me that he can argue my technical innocence. He was saying that I was legally innocent. If the Circuit Court finds that I am legally innocent of the state charge of indecent exposure, then I clearly did not violate the state law I was charged with under the most recent



revocation petition (Doc. #157). If a chimney expert or even a carbon monoxide expert had been present at the revocation hearing, I would have had a better outcome and Judge Schroeder would have had to admit that carbon monoxide may have indeed caused me to exhibit the weird and strange behavior on September 21, 2018. My mom showed me a video of a lawyer saying that carbon monoxide ("CO") can still have an effect on somebody even when the victim of CO poisoning is no longer under the conditions of CO gas. He said months can go by and the victim of CO gas can still exhibit effects of carbon monoxide. It takes a while for it to completely get out of your system if you are under chronic carbon monoxide exposure. What AUSA Ramaswamy had said and argued at the revocation hearing was a disgrace and goes against what other lawyers and experts had said throughout the years when arguing cases in court that have anything to do with carbon monoxide. I deserve another final revocation hearing, and I deserve having experts paid for by the Government in my defense to prove that I had suffered under carbon monoxide and that such effects can cause me to do weird or bazaar behavior when I didn't even know why I had exhibited such behavior until I heard from my own family members that Pete Compton the chimney expert found evidence of carbon monoxide gas in my residence, and removed the tin off of the chimney. The tin that was placed on top of the chimney flues may have been by a business known as "The Chimney Sweeper" located in Rocky Mount, VA. Why was tin installed on the chimney instead of it being a wire mesh or chimney cap? Carbon monoxide effects do not simply go away immediately once I had left the house. AUSA Ramaswamy is not an expert in carbon monoxide and cannot just simply get the judge to dismiss such issue until an expert can testify as to the effects and issues of carbon monoxide. There should have been such experts at my hearing, but there wasn't, that is one reason why I had lost the revocation hearing wrongfully. It was a wrongful revocation. It is further wrongful imprisonment.

3. I had been compliant with the conditions of my appearance bond since I had been released on the bond conditions as set forth by the Hon. Magistrate Judge Robert S. Ballou who works for the U.S. District Court for the Western District of Virginia, and the "Government does not oppose bond" under Document #176-1 in the Middle District of North Carolina (Western District of Virginia Case #7:18-mj-00148, Document #21, Filed 05/14/19). United States Probation Officer ("USPO") Jason McMurray ("McMurray") who has been supervising me before the bond conditions were imposed and after the bond conditions were imposed has given me no impression that I had not been compliant. I have been attending all appointments with the mental health community based services of Piedmont Community Services ("Piedmont") as ordered by the Court. Last time I spoke with the case manager at Piedmont, she informed me that USPO McMurray had called to check in on my compliance and that she had informed him that I had been attending my appointments. I have always got back home before curfew and been at home around curfew.
4. One of the conditions of my appearance bond is that I appear before all hearings in my federal court case. On September 12, 2019, before the final revocation hearing scheduled for 2:00PM in Courtroom 2, I had arrived at the Winston-Salem federal courthouse around 12:00PM (noon) and had filed my Notice of Interlocutory Appeal (The same one filed under Document #187) with the U.S. Probation Office on the 8<sup>th</sup> floor right where the U.S. Tax Court is located. The Notice of Interlocutory Appeal inside an envelope was delivered at approximately around 12:00PM to 12:30PM. The reason why I could not file with the chamber clerk was that the U.S. Marshals

dictated what floors I was allowed to be on in the federal building. They told me that I would have to wait until 1:30PM before I can even enter the floor of the courtrooms and also where the judge's chambers are. It was very strict and the U.S. Marshals kept their eye on me on that floor and watched everywhere I had walked, so I couldn't serve the Notice of Interlocutory Appeal with the clerk of the Judge's chambers. The courthouse has no manned clerk's office. I would be in violation of my state bond conditions if I had decided to travel to the Greensboro federal courthouse to file the Notice of Interlocutory Appeal. So I had explained to the secretary at the U.S. Probation Office in the federal building that my state bond conditions will not allow me to go to Greensboro to file the Appeal with the clerk and the hearing was that day at 2:00PM so the secretary agreed to take my envelope (The same one filed under Document #187, Attachment #1). I was informed that she, the secretary (I assumed it was a secretary in the Probation Office), would deliver my appeal envelope to the CSO and I thanked her for it. At the final revocation hearing, I had witnessed the Judge's clerk or some other kind of court employee gave a copy of my filed Notice of Interlocutory Appeal with my attorney Renorda Pryor right around 2:00PM approximately or around that time. It took a while before the Judge got to my case as he had dealt with some other cases. When he got to mine, Renorda verbally brought up about my Notice of Interlocutory Appeal as a possible request for continuance since my state criminal appeal was still pending before the Martinsville Circuit Court (for the very case that triggered the revocation charge). See Exhibit 4 in attachment to this declaration as proof that the state case was appealed from the General District Court and that the appeal (trial de novo) is still ongoing. Back on December 26, 2018, I was told by the Hon. Magistrate Judge Robert S.



Ballou in Roanoke, Virginia federal building that I had the right to trial de novo, despite the revocation charge that was already filed against me. I had also learned from an independent legal source that a federal Judge cannot attempt to revoke my probation until my state criminal appeals have been exhausted as it would be an error of law. On September 12, 2019: The U.S. Attorney brought up his objection to my Notice of Interlocutory Appeal and the Judge also read my Notice of Interlocutory Appeal. The Judge Thomas D. Schroeder refused to call-off the hearing despite my appeal to the Fourth Circuit being filed prior to the hearing. Attorney Renorda Pryor had also orally requested a continuance and was also denied. I had prepared, the night before, a regular Notice of Appeal (Document #190) in case my Interlocutory Appeal had failed, I had planned to have that appeal ready to file with the Court, that same day. Attorney Renorda Pryor asked me for the envelope for my regular Notice of Appeal and she went back into Courtroom 2 and delivered it to somebody in the Court as it was also filed that day. I had also faxed an EMERGENCY Notice of Interlocutory Appeal on the night of September 11, 2019 (See Exhibit 2 in attachment to this Declaration) with a request asking for permission to file the emergency Notice of Interlocutory Appeal to stop the hearing the next day and give me more time for my state appeal to be completed as I fight to be found legally innocent of my state charge in Virginia. On September 11, 2019: I could have tried to mail it quickly by U.S. Postal Service, Express Mail, but both of my wrists were hurting and I had to go to Urgent Care (See Exhibit 3 in attachment to this Declaration) and I was worried about any possible bone problems and that my carbon monoxide had gotten worse. So I was at MedExpress Urgent Care for a while and was after 5:00PM before I had been discharged. It was too late for me to file the Interlocutory Appeal by

Express Mail. My only option was attempting to deliver to the chamber clerk. The U.S. Marshals refused to even deliver my envelope to the chamber Clerk of the Hon. Judge Thomas D. Schroeder and refused to let me get access to the chamber clerk so I had no choice but to file it with the U.S. Probation Office on the 8<sup>th</sup> floor in the federal building/courthouse in Winston-Salem, NC.

5. I have Obsessive Compulsive Disorder (“OCD”) and mild Autism. I have to keep myself clean and have a thing about germs. That is why I have to wash my body a lot more than the average person, and conduct hand/arm washing routines and body washing routines (showering, sponge baths) each and every day and every time I use the bathroom/toilet. It bothers me that Winston-Salem federal court had pushed for an ankle monitor that I will be forced to wear 24 hours each day, and that it will exacerbate my conditions of OCD, Autism, and eczema which I have all documented by Carilion Clinic. It already has exacerbated my conditions. I know this because it had made my OCD and autism worse when I had 6 months home detention back in 2015. I tried to beg my former doctor named Dr. Shyam Balakrishnan to do something to inform the court that it was making my OCD worse, but he didn’t want to do anything about it. However the medical records prove that I have eczema (Exhibit 1 in attachment to this Declaration) and skin problems which can be caused by my diabetes. I have sensitive skin and it can flare up with chemicals. An ankle monitor may flare up my eczema and cause worsening of my OCD and autism symptoms. The Magistrate Judge Robert Ballou had no problems with me being out on bond without an ankle monitor as long as I was compliant with all conditions of my release, which I have been and my Probation Officer Jason McMurray also is aware that I



had been following my bond conditions to the letter. I am not a flight risk. I am a fighter and will fight legally through the court system by filing any motions I deem necessary to seek justice. I will not flight, I will fight. There is no reason why an ankle monitor is necessary since the U.S. Magistrate Judge of the Western District of Virginia did not think it was necessary. The U.S. Attorney office in Roanoke did not think it was necessary to force me to wear an ankle monitor. It will exacerbate my mental health and neurological conditions which I am sure my Probation Officer does not want.

6. After Renorda had read to me under Document #158 by phone conversation on the day before the hearing on September 12, 2019, I had decided that I had wanted to file an interlocutory appeal but I had to go to urgent care because of pain in both of my wrists due to the carpel tunnel (Again, Exhibit 3) I believe was caused by the ton of pages of legal work I had done pro se. By the time I had left urgent care, it was after 5:00PM and I could not send out any mailing from the U.S. Post Office on September 11, 2019. So I had worked on two interlocutory appeal notices and one regular notice of appeal. The first one I had faxed to the U.S. Court of Appeals late night of September 11, 2019, (Again, Exhibit 2) through fax number 804-916-2469, along with a cover sheet asking for permission to file the interlocutory appeal through fax and gave a good reason as to why I am seeking permission. Then I had also faxed the same type of fax to both the Greensboro federal court through fax number 336-332-6085 and the Winston-Salem federal court through fax number 336-631-5004 with the cover sheet asking for permission to file the interlocutory appeal through fax and gave a good reason as to why I am seeking permission. I have the

transmission tickets of successful delivery on record with VentaFax system. Even though the faxed Interlocutory Appeal did not get filed before the hearing, I made sure to have drafted a second Interlocutory Appeal to have been filed at the federal building before the hearing. I am just stating under oath that I had attempted to file an Interlocutory Appeal a day before the hearing and was hoping that one of the Clerk's gave permission to file my faxed Notice of Interlocutory Appeal on the record so that the hearing would have been continued until after the mandate and would give me more time for my state appeal to have been completed before the final revocation hearing.

7. On October 16, 2019, the GPS ankle monitor was installed on my left ankle. It feels uncomfortable. I have had a urine accident and the ankle monitor is making it difficult for me to change my pants, my stress level is higher and nerves causing me to have diarrhea. My hand washing routines and body washing routines are taking longer now with every routine because of this ankle device. This might make me late for any appointments which may include legal appointments as well. This ankle monitor will cause me to be at higher risk of possibly being late for any state court hearings because it is increasing my OCD hand washing and body washing times to be longer which will raise the water bill. I can no longer wear shorts but pants instead, despite the hot temperatures, because of how embarrassing wearing this ankle monitor is and people judging me just by seeing it and yet not knowing what is really going on. The GPS device has to be in contact with my skin, this may flare up my eczema (See Exhibit 1 attached to this Declaration). It is causing me nervous problems and is increasing my OCD issues because my USPO instructed me not to clean the ankle monitor. This

is a problem for my OCD as I like to keep everything clean on my body. I like to consistently wash my body and hands, and use hand sanitizer a lot. This ankle monitor is negatively effecting my OCD, my autism, and is exacerbating my conditions, just like Kristy L. Burton had warned the court about my condition or conditions can be exacerbated when she tried to obtain a urine sample for the drug testing and had pushed for suspending the drug testing. This device is a nightmare to me, and I feel like it isn't necessary because the U.S. Magistrate Judge Robert S. Ballou released me on \$20,000 unsecured bond and had no issue with me being out on bond without an ankle monitor. Despite my health issues and disability issues, I have complied with all bond conditions since my release on May 14, 2019. My USPO said to me on Sept. 16, 2019, that I have been compliant with my conditions except for that incident last year (the one at issue with the SRV charge under Document #157) but it is between me and the state court. So if I am found actually innocent or legally innocent of my state charge, then that may not be a violation either and should be reconsidered or a new final revocation hearing should be commenced.

Respectfully filed with the Court, this the 17th day of September, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 17, 2019.

Respectfully submitted,

Brian D. Hill  
Signed Signed

Brian D. Hill (Pro Se)  
310 Forest Street, Apartment 1  
Martinsville, Virginia 24112  
Phone #: (276) 790-3505



Former U.S.W.G.O. Alternative News reporter  
I stand with QANON/Donald-Trump -- Drain the Swamp  
Make America Great Again

Defendant also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that "The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases". Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

**Declaration of Brian David Hill on evidence/records in support of claims made in this declaration**

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I attach the following evidence in the following order in attachment to this pleading for this Honorable Court in support of the claims made in this pleading in regards to my Motion to Stay the Judgment:

1. Attached hereto as Exhibit 1, is a Photocopy of the Carilion Clinic medical record from Dermatology proving that Defendant Brian David Hill has a skin condition known as eczema. – 2 pages
2. Attached hereto as Exhibit 2, is true and correct copy of 3 transmission tickets and a true and correct photocopy of the fax that was sent to the Fourth Circuit U.S. Court of Appeals with the Notice of Interlocutory



Appeal and requesting permission to file the Emergency Notice of Interlocutory Appeal through the fax. – 9 pages

3. Attached hereto as Exhibit 3, is a true and correct Photocopy of the MedExpress Urgent Care medical record for pain in both wrists and was found to be carpal tunnel. With the hundreds of pages of legal filings over the years in this case, all of the letters through faxes I've had to type up, and legal mailings. All of that contributes to my carpal tunnel. – 3 pages
4. Attached hereto as Exhibit 4, is a true and correct copy of a printout of the Virginia criminal case (Case #: CR19000009-00) appealed to the Circuit Court of Martinsville (trial de novo). This proves that Brian's appeal is still ongoing in the state case for the state charge which the Supervised Release Violation is based (referring to Documents #157, and 158). Disclaimer: State case information printout sheet from the Virginia Judiciary Online Case Information System was printed by a member of Brian's family to a PDF format. – 3 pages

Total is 21 pages, including the 4 Pages for the 4 exhibit pages.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 17, 2019.

Respectfully submitted,

Brian D. Hill  
*Signed*

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505





Former U.S.W.G.O. Alternative News reporter  
I stand with QANON/Donald-Trump – Drain the Swamp  
Make America Great Again

### CERTIFICATE OF SERVICE

Defendant hereby certifies that on September 17, 2019, service was made by mailing the original of the foregoing:

**“DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF DEFENDANT’S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW”**

by deposit in the United States Post Office, in an Priority Mail envelope, Postage prepaid, on September 17, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Suite 1, Greensboro, NC 27401.

It is under Certified Mail tracking number 7017-2680-0000-5750-9139

Then pursuant to 28 U.S.C. §1915(d), Defendant requests that the Clerk of the Court move to electronically file the foregoing using the CMIECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:Anand.Ramaswamy@usdoj.gov">Anand.Ramaswamy@usdoj.gov</a>	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:angela.miller@usdoj.gov">angela.miller@usdoj.gov</a>
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This is pursuant to Defendant's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and

perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing:</p> <p><u>September 17, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u></p> <p>Signed Brian D. Hill (Pro Se)</p> <p>310 Forest Street, Apartment 1</p> <p>Martinsville, Virginia 24112</p> <p>Phone #: (276) 790-3505</p> <p><b>U.S.W.G.O.</b></p> <p>I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
--	---

Qanon  
Alliance/DOD  
Please help me!  
S.O.S

# Exhibit 1

USWGO  
QANON // DRAIN THE SWAMP  
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1  
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF  
DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND  
ITS SUPPORTING MEMORANDUM OF LAW"



DERMATOLOGY GEN CCR1 Hill, Brian David  
1 Riverside Cir

MRN: 7244793, DOB: 5/26/1990, Sex: M  
Visit date: 5/9/2018

Progress Notes by Sharghi, Kevin G, MD at 5/9/2018 1:45 PM (continued)

**SKIN:** A skin examination was performed of the scalp and body hair, face, neck, chest (including axillae), abdomen, back, right upper extremity, left upper extremity, right lower extremity, left lower extremity in addition to inspection and palpation of the digits and nails excluding areas covered by undergarments.

Hair follicle based spiked the papules on chest and upper outer arms  
Eczematous patches on cheeks, upper back, forearms, and knees  
Eczematous patches on forearms are lichenified

### Assessment & Plan

27 y.o. male with:

Atopic dermatitis

- Etiology, prognosis, and treatment options discussed
- Start Protopic to face twice daily. Black box warning discussed
- Start soak and smear with clobetasol once daily for the next 2 weeks
- After 2 weeks, use a soak and smear with moisturizers and then clobetasol on the weekends
- These instructions were written on the patient's after visit summary
- Dry skin care discussed. Encouraged frequent use of emollients

RTC 6 weeks

CC: Balakrishnan, Shyam E, \*

Kevin G. Sharghi, MD  
PGY-2 Dermatology

I saw and examined the patient today. I discussed the management and care with Dr. Sharghi. I agree with the findings and treatment documented in the note.

cmpickard md

Electronically signed by Pickard, Clay M, MD at 5/10/2018 9:30 PM

Progress Notes by Sharghi, Kevin G, MD at 6/13/2018 2:00 PM

Author: Sharghi, Kevin G, MD  
Filed: 6/14/2018 9:54 AM  
Status: Addendum  
Related Notes: Original Note by Sharghi, Kevin G, MD (Physician) filed at 6/13/2018 3:24 PM

Service: —  
Encounter Date: 6/13/2018  
Editor: Pickard, Clay M, MD (Physician)

Author Type: Physician  
Note Type: Progress Notes

### Dermatology Clinic Progress Note

Date: 6/13/2018

PCP: Balakrishnan, Shyam E

### Subjective

CC: AD

Brian David Hill is a 28 y.o. male with AD here for follow up

Printed by HRHANSFORD at 7/18/19 8:05 AM

Page 52



DERMATOLOGY GEN CCR1 Hill, Brian David  
1 Riverside Cir

MRN: 7244793, DOB: 5/26/1990, Sex: M  
Visit date: 6/13/2018

Progress Notes by Sharghi, Kevin G, MD at 6/13/2018 2:00 PM (continued)

Last appt was 2 months ago and at that time pt was started on protopic for the face and clobetasol for the body (bid x 2 weeks followed by just weekends)

Back today. Skin a little better. Put the medication on before the visit. Unable to gage compliance. States that sugars have been going up the past month.

#### ROS

Constitutional: no fevers, chills, or unintentional weight loss  
Skin: as per HPI

#### Objective

Vitals: There were no vitals taken for this visit.

GEN: AAOx3

SKIN: A skin examination was performed of the face, arms, and legs

Redness to the face

Eczematous patches on forearms

#### Assessment & Plan

28 y.o. male with:

#### AD

- etiology, prognosis, and treatment options discussed
- slight improvement since last visit
- ?compliance an issue? States sugars have been increasing
- stop clobetasol if not using as rx'd and causing sugars to jump (unlikely)
- change tacrolimus ointment twice daily to eczema

RTC 6 months

Kevin G. Sharghi, MD  
PGY-2 Dermatology

I saw and examined the patient today. I discussed the management and care with Sharghi. I agree with the findings and treatment documented in the note.

cmpickard md

Electronically signed by Pickard, Clay M, MD at 6/14/2018 9:54 AM

Progress Notes by Balakrishnan, Shyam E, MD at 7/31/2018 10:45 AM

Author: Balakrishnan, Shyam E, MD  
Filed: 8/8/2018 3:13 PM  
Status: Signed

Service: —  
Encounter Date: 7/31/2018  
Editor: Balakrishnan, Shyam E, MD (Physician)

Author Type: Physician  
Note Type: Progress Notes

Subjective:

Printed by HRHANSFORD at 7/18/19 8:05 AM

Page 53



# Exhibit 2

USWGO  
QANON // DRAIN THE SWAMP  
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1  
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF  
DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND  
ITS SUPPORTING MEMORANDUM OF LAW"

Venta Fax & Voice (<http://www.ventafax.com>)  
Transmission ticket for Fax ID: 276-790-3505

Date: 9/11/2019  
Number of pages: 6  
Attn.: Clerk of the Court  
Recipient's number: T1-336-332-6085  
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\2469\ (2019-09-11)\_GenError Correction: No  
File description: Notice of Interlocutory Appeal(Emergency Fax)Signed(FAX-804-91)Resolution: 200\*200 dpi  
Recipient's Fax ID:  
Rate: 14400 bps

Time: 11:37:43 PM  
Session duration: 4:04  
To: U.S. District Court-NCMD  
Message type: Fax  
Record number: 7918

## Fax Cover Page

Date: 9/11/2019

Time: 11:37:43 PM

Pages: 6

**To: U.S. District Court-NCMD**

**Attn.: Clerk of the Court**

**From: Brian David Hill**

**Fax ID: 276-790-3505**

**Read page 5, Requesting permission from Clerk's Office to file  
EMERGENCY NOTICE OF APPEAL on September 11, 2019, one day  
before final SRV hearing violating Defendant's constitutional rights  
and creating an error of law. The hearing deprives actually innocent  
man of justice. Appeal needs to be filed quickly, EMERGENCY  
APPEAL.**

**Medical appointments, legal appointments, and court required  
appointments cause for untimely filing.**

**URGENT**

**U.S.W.G.O.**

**QANON**

**RECEIPT CONFIRMATION  
REQUESTED**

VentaFax Cover Page

Venta Fax & Voice (<http://www.ventafax.com>)  
Transmission ticket for Fax ID: 276-790-3505

Date: 9/11/2019 Time: 11:32:36 PM  
Number of pages: 6 Session duration: 3:59  
Attn.: Clerk of the Court To: U.S. Court of Appeals for the Fourth Circuit  
Recipient's number: T1-804-916-2469 Message type: Fax  
Filename: C:\ProgramData\VentaWentaFax & Voice 6\Out\2469 (2019-09-11)\_GenError Correction: No  
File description: Notice of Interlocutory Appeal(Emergency Fax)Signed(FAX-804-916-2469)Resolution: 200\*200 dpi  
Recipient's Fax ID: Record number: 7917  
Rate: 14400 bps

## Fax Cover Page

Date: 9/11/2019

Time: 11:32:36 PM

Pages: 6

**To: U.S. Court of Appeals for the Fourth Circuit**

**Attn.: Clerk of the Court**

**From: Brian David Hill**

**Fax ID: 276-790-3505**

**Read page 5, Requesting permission from Clerk's Office to file  
EMERGENCY NOTICE OF APPEAL on September 11, 2019, one day  
before final SRV hearing violating Defendant's constitutional rights  
and creating an error of law. The hearing deprives actually innocent  
man of justice. Appeal needs to be filed quickly, EMERGENCY  
APPEAL.**

**Medical appointments, legal appointments, and court required  
appointments cause for untimely filing.**

**URGENT**

**U.S.W.G.O.**

**QANON**

**RECEIPT CONFIRMATION  
REQUESTED**

VentaFax Cover Page

Venta Fax & Voice (<http://www.ventafax.com>)  
Transmission ticket for Fax ID: 276-790-3505

Date: 9/11/2019  
Number of pages: 6  
Attn.: Clerk of the Court  
Recipient's number: T1-336-631-5004  
Filename: C:\ProgramData\Venta\VentaFax & Voice 6\Out\2469\{2019-09-11}\_GenError Correction: No  
File description: Notice of Interlocutory Appeal(Emergency Fax)Signed(FAX-804-91)Resolution: 200\*200 dpi  
Recipient's Fax ID:  
Rate: 14400 bps

Time: 11:41:49 PM  
Session duration: 3:58  
To: U.S. District Court-NCMD  
Message type: Fax  
Record number: 7919

## Fax Cover Page

Date: 9/11/2019

Time: 11:41:49 PM

Pages: 6

**To: U.S. District Court-NCMD**

**Attn.: Clerk of the Court**

**From: Brian David Hill**

**Fax ID: 276-790-3505**

**Read page 5, Requesting permission from Clerk's Office to file EMERGENCY NOTICE OF APPEAL on September 11, 2019, one day before final SRV hearing violating Defendant's constitutional rights and creating an error of law. The hearing deprives actually innocent man of justice. Appeal needs to be filed quickly, EMERGENCY APPEAL.**

**Medical appointments, legal appointments, and court required appointments cause for untimely filing.**

**URGENT**

**U.S.W.G.O.**

**QANON**

**RECEIPT CONFIRMATION  
REQUESTED**

VentaFax Cover Page

# Fax Cover Page

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Date: 9/11/2019

Time: 11:32:36 PM

Pages: 6

**To: U.S. Court of Appeals for the Fourth Circuit**

**Attn.: Clerk of the Court**

**From: Brian David Hill**

**Fax ID: 276-790-3505**

**Read page 5, Requesting permission from Clerk's Office to file EMERGENCY NOTICE OF APPEAL on September 11, 2019, one day before final SRV hearing violating Defendant's constitutional rights and creating an error of law. The hearing deprives actually innocent man of justice. Appeal needs to be filed quickly, EMERGENCY APPEAL.**

**Medical appointments, legal appointments, and court required appointments cause for untimely filing.**

**URGENT**

**U.S.W.G.O.**

**QANON**

**RECEIPT CONFIRMATION  
REQUESTED**

VoxiaFax Cover Page



In the United States District Court  
For the Middle District of North Carolina

<b>Brian David Hill,</b>	)	
<b>Petitioner/Defendant</b>	)	
	)	<b>Criminal Action No. 1:13-CR-435-1</b>
	)	
<b>v.</b>	)	<b>Civil Action No. 1:17-CV-1036</b>
	)	
<b>United States of America,</b>	)	
<b>Respondent/Plaintiff</b>	)	
	)	
	)	

**EMERGENCY**

**PETITIONER'S NOTICE OF INTERLOCUTORY APPEAL**

NOW COMES the Petitioner, by and through Brian David Hill ("Brian D. Hill"), "Petitioner", or "Hill"), that is acting pro se in this action before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves to file this notice of interlocutory appeal.

Notice is hereby given that Defendant/Petitioner Brian David Hill in the above named case hereby appeal to the United States Court of Appeals for the Fourth Circuit from an order (Document #183, "Order on Motion to Continue") entered in this action on July 23, 2019. Hill shall give a lawful excuse as to why such appeal was filed untimely.

\*See Fed. R. App. P. 3(c) for permissible ways of identifying appellants.

Hill's lawful excuse for filing untimely (as of August 6, 2019) is of medical health issues. Hill has had to attend a lot of medical appointments including those mandated by Hill's federal bond conditions requiring him to attend mental health

appointments for Piedmont Community Services. Hill had also to attend a lot of legal appointments for his current ongoing state appeal in Martinsville Circuit Court Case # CR19000009-00. Hill had many appointments, some located in Roanoke, Virginia, causing Hill to have no ability to determine if filing such an appeal would be frivolous or worthy of attempting. Hill can provide an affidavit or any evidence of all such appointments to the court if requested by the Court. Hill also had appointments with social security, social services for his Medicaid, and other appointments that could not have been avoided to permit more time to file in a timely fashion.

Also this NOTICE OF APPEAL concerns the protection of the constitutional rights of Hill including his right to appeal in the state court before the final supervised release revocation hearing to protect his procedural due process right to a speedy trial. The final revocation hearing scheduled for September 12, 2019, at 2:00PM is an error of law and violates Hill's right to a speedy trial in his state court trial (case # CR19000009-00) and Hill's right to the appeal in the Martinsville Circuit Court in connection with the Supervised Release Violation ("SRV"). The hearing the day thereafter violates Brian's right to participate in his state criminal case appeal process, violates his speedy trial rights, violates his right to cross examine the witnesses in his state case, his right to prove that he is actually innocent (legally innocent) of his state charge which is cause for such SRV petition for revocation, and is a unconstitutional error of law and an abuse of discretion. This appeal needs to be accepted and filed to protect Hill's due process rights being deprived by the final SRV hearing that is scheduled for the next day. This state case concerns the actual innocence of Brian David Hill (case # CR19000009-00) and any attempt to revoke his supervised release over a state charge that Hill is actually innocent of is cruel and unusual punishment, creates a legal system that punishes probationers or

any criminal defendants for any charges that they are legally innocent of, and is in contradiction to Congress's intent when the United States Probation statute was created. Congress never intended to create Federal Probation with an intent to revoke probation of anybody accused of a crime that they are actually innocent of (legal innocence is actual innocence). This creates a precedent where any criminal defendant that makes any enemies within the Government or Law Enforcement could face harassment by fake criminal charges and then probation can be revoked based on fake or wrongful criminal charges. Congress never intended for Federal Probation to be used as a mechanism to revoke those who were accused of violating a federal, state, or local law but was actually innocent of such charge.

Respectfully filed with the Court, this the 11th day of September, 2019.

Respectfully submitted,

*Brian D. Hill*  
*Signed*

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

**U.S.W.G.O.**

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

Brian asks Donald Trump for a full pardon of innocence, asks Qanon for help

Make America Great Again

Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that "The officers of the court

shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases". Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

### CERTIFICATE OF SERVICE

Petitioner hereby certifies that on September 11, 2019, service was made by emergency faxing (*with cover sheet asking for permission to file emergency notice of appeal by facsimile*) the original of the foregoing:

#### EMERGENCY "PETITIONER'S NOTICE OF INTERLOCUTORY APPEAL"

Addressed to the Clerk of the Court in the United States Court of Appeals for the Fourth Circuit, Lewis F. Powell, Jr. United States Courthouse Annex 1100 East Main Street, Suite 501, Richmond, VA 23219-3517.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CMIECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:Anand.Ramaswamy@usdoj.gov">Anand.Ramaswamy@usdoj.gov</a>	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 <a href="mailto:angela.miller@usdoj.gov">angela.miller@usdoj.gov</a>
---	--

This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.



<p>Date of signing:</p> <p><u>September 11, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u></p> <p><i>Signed</i></p> <p>Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 1 Martinsville, Virginia 24112 Phone #: (276) 790-3505</p> <p><b>U.S.W.G.O.</b></p> <p>I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
--	---

Request to the Clerk for permission to file via Fax since this is an emergency notice of appeal and reasonable lawful excuse is that this notice of appeal should be filed prior to the final hearing scheduled on September 12, 2019 at 2:00PM as this appeal concerns fundamental procedural due process and other constitutional rights at stake in this case.



# Exhibit 3

USWGO

QANON // DRAIN THE SWAMP  
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1  
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF  
DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND  
ITS SUPPORTING MEMORANDUM OF LAW"



Patient Name: Brian Hill  
 Patient DOB: 05/26/1990

Date of Visit: September 11 2019  
 Seen By: Candice Earp, INP  
 Location: MedExpress Martinsville W Commonwealth Blvd  
 105 West Commonwealth Blvd  
 Martinsville, VA 24112-1806  
 276-666-5000

**VA PREMIER HEALTH PLAN - ELITE PLUS (MEDICAID R**

PO BOX 4369  
 RICHMOND, VA 23220-8369  
 Policy Holder: BRIAN HILL  
 Relation:  
 DOB: 5/26/1990  
 Sex: M  
 Employer:

Effective Date:  
 Type: PRIMARY

Patient Name: Brian Hill  
 310 FOREST ST  
 MARTINSVILLE, VA 24112  
 DOB: 05/26/1990 Sex: M  
 Phone: 276-790-3505

Visit Date:	Description:	Qty
09/11/19	73110 - XRAY-WRIST COMP 3+ VIEWS***	1
09/11/19	73130 - XRAY-HAND COMP 3+ VIEWS***	1

## Clinical Summary Report

### Chief Complaint

Patient comes in today for a Pain, Wrist. bilateral wrist pain for past few weeks, tingling (SOURCE: Patient)

### Allergies

Active: Reviewed Allergies; ranitidine

### Vitals

Taken on 09/11/2019 at 4:49 PM:

BP: 113/77 mmHg  
 PULSE: 80 bpm  
 RESP: 18 breaths/min  
 TEMP: 98.4  
 WEIGHT: 194 lb(88 kg)  
 HEIGHT/LENGTH: 5 ft 10 in  
 BMI: 27.835  
 O2 SAT: 95%  
 PAIN: 7/10

A/P

This document was created on: 9/11/2019 at 5:56:13PM



Patient Name: Brian Hill  
Patient DOB: 05/26/1990

### A/P

Carpal tunnel syndrome, right upper limb (354.0, G56.01)

Discharge Instructions: CARPAL TUNNEL|124432

Can take additional Tylenol while taking the medication I prescribed but avoid ibuprofen as this is the same type of medication as (the one I prescribed) it can cause kidney dysfunction if taken simultaneously.

-Make sure to wear a brace that provide adequate support while at work and while at home maintaining a natural position will help lessen the inflammation.

X ray studies reviewed by radiologist and report received prior to the patient being discharged. Go to the Emergency Department immediately if your symptoms worsen or if you develop new symptoms that concern you.

Return to MedExpress if your symptoms fail to improve in 1-2 weeks.

Elevate injured extremity as much as possible. The injured extremity should be elevated as high as possible, at least above the level of the heart.

Apply ice to injured area for 20 minutes every hour while awake. Never apply ice pack directly against the skin to avoid frostbite. You may use a towel, washcloth, elastic bandage, or layer of clothing to separate the ice pack from the skin.

PRESCRIBED Naprosyn 500 MG tablet: Take 1 tablet (oral) 2 times per day for 15 days; Total Qty: 30 (Thirty) tablet; No refills; Allow substitutions; Earliest Fill Date: 09/11/19

\* Prescription sent by e-prescribing to WALGREENS DRUG STORE #12495, 2707 GREENSBORO RD, MARTINSVILLE, VA 24112 Phone (276) 632-0180 on 09/11/2019 17:55:49 by emily.spence

PRESCRIBED prednisone 10 mg tablet: Take 3 tablet (oral) 2 times per day for 5 days for inflammation. TAKE WITH FOOD; Total Qty: 30 (Thirty) tablet; No refills; Allow substitutions; Earliest Fill Date: 09/11/19

\* Prescription sent by e-prescribing to WALGREENS DRUG STORE #12495, 2707 GREENSBORO RD, MARTINSVILLE, VA 24112 Phone (276) 632-0180 on 09/11/2019 17:55:49 by emily.spence

### Current Meds

ACTIVE: Basaglar KwikPen U-100 Insulin

ACTIVE: Novolog Flexpen U-100 Insulin

ACTIVE: Zoloft

### Meds Prescribed Today

PRESCRIBED Naprosyn 500 MG tablet: Take 1 tablet (oral) 2 times per day for 15 days; Total Qty: 30 (Thirty) tablet; No refills; Allow substitutions; Earliest Fill Date: 09/11/19 Prescribed by: Candice Earp, INP Start Date: 09/11/19

PRESCRIBED prednisone 10 mg tablet: Take 3 tablet (oral) 2 times per day for 5 days for inflammation. TAKE WITH FOOD; Total Qty: 30 (Thirty) tablet; No refills; Allow substitutions; Earliest Fill Date: 09/11/19 Prescribed by: Candice Earp, INP Start Date: 09/11/19

help to change the position of your keyboard or add a wrist support. Your wrist should be in a neutral position and not bent back when typing.

- You may use over-the-counter pain medicine to treat pain and inflammation, unless another medicine was prescribed. Anti-inflammatory pain medicines, such as ibuprofen or naproxen may be more effective than acetaminophen, which treats pain, but not inflammation. If you have chronic liver or kidney disease or ever had a stomach ulcer or GI bleeding, talk with your doctor before using these medicines.
- Opioid pain medicine will only give temporary relief and does not treat the problem. If pain continues, you may need a shot of a steroid drug into your wrist.
- If the above methods fail, you may need surgery. This will open the carpal tunnel and release the pressure on the trapped nerve.

### **Follow-up care**

Follow up with your healthcare provider, or as advised, if the pain doesn't begin to improve within the next week.

If X-rays were taken, you will be notified of any new findings that may affect your care.

### **When to seek medical advice**

Call your healthcare provider right away if any of these occur:

- Pain not improving with the above treatment
- Fingers or hand become cold, blue, numb, or tingly
- Your whole arm becomes swollen or weak

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# Exhibit 4

USWGO  
QANON // DRAIN THE SWAMP  
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1  
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF  
DEFENDANT'S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND  
ITS SUPPORTING MEMORANDUM OF LAW"



Case #: CR19000009-00

Defendant: HILL, BRIAN DAVID

## Defendant Information

Address: MARTINSVILLE, VA 24112  
Gender: MALE  
Race: WHITE CAUCASIAN (NON-HISPANIC)  
DOB: 05/26/\*\*\*\*  
Attorney: CLARK, MATT

## Case/Charge Information

Defendant Status: BAIL  
Filed Date: 01/09/2019  
Locality: MARTINSVILLE  
Code Section: 18.2-387  
Charge: INDECENT EXPOSURE  
Case Type: MISDEMEANOR  
Class: CLASS 1  
Commenced By: GENERAL DISTRICT COURT APPEAL  
Offense Date: 09/21/2018  
Arrest Date: 09/21/2018  
Amended Code Section:  
Amended Charge:  
Amended Case Type:  
Amended Class:

## Appeal Information

Appeal Date:

## Hearing Information

Date	Time	Result	Type	Courtroom	Plea	Duration	Jury
12/02/2020	09:00 AM		JURY TRIAL				
11/04/2019	09:00 AM		TERM				
08/30/2019	09:00 AM	WITHDRAWN	JURY TRIAL				NO
08/27/2019	09:00 AM	SET FOR TRIAL	TO BE SET				
07/15/2019	09:00 AM	SET FOR TRIAL	ARRAIGNMENT		NOT GUILTY		
06/04/2019	02:30 PM	GRANTED	BOND				
04/23/2019	09:00 AM	CONTINUED MOTION OF DEFENSE	REVIEW				
01/28/2019	09:00 AM	CONTINUED MOTION OF DEFENSE	TERM				



**Martinsville Circuit Court**

Case #: **CR19000009-00**

Defendant: **HILL, BRIAN DAVID**

Lire/Deatn:

Sentence Time:

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

Operator License Suspension Time:

Restriction Effective Date:

Operator License Restrictions:

Military:

Traffic Fatality: **NO**

Court/DMV Surrender:

Driver Improvement Clinic:

VASAP:

Restitution Paid:

Restitution Amount:

Fine: \*

Costs: \*

Fine/Costs Paid:

Fine/Costs Paid Date:

\* This system cannot process online payments at this time. Please refer to '[How to Pay Traffic Tickets and Other Offenses](#)' for more information.

**Service/Process**



**Martinsville Circuit Court**

Case #: CR19000009-00

Defendant: HILL, BRIAN DAVID

34	08/21/2019	NOTICE	JCC		APPEAR 08/27/19@9AM
33	08/21/2019	CLERK'S WORKSHEET	JPN	GCG	EMAIL CD JURY TRIAL
32	08/20/2019	CONTINUANCE ORDER	JPN	GCG	CD-TBS ON 8/27
31	08/19/2019	MOTION	BEW		CONTINUE 8-30-19
30	08/06/2019	NOTICE	ERH		PRIOR CONVICTIONS
29	08/01/2019	ORDER	JCC	GCG	APPOINTED ATTY MATT CLARK
28	07/30/2019	ORDER	JCC	GCG	ATTY LMC GARRY WITHDRAWN
27	07/29/2019	MOTION	BEW		PUB. DEFENDER WITHDRAW
26	07/26/2019	MOTION	JCC		MOT TO SUPPRESS EVIDENCE
25	07/26/2019	MOTION	JCC		DISCOVERY
24	07/15/2019	ORDER	JCC	GCG	DISCOVERY
23	07/19/2019	MOTION	ERH		REQ SUB COUNSEL-FILED BY D
22	07/19/2019	MOTION	ERH		INSANITY DEF-FILED BY DEF
21	07/18/2019	WITNESS LIST	JCC		COMMONWEALTH WITNESS LIST
20	07/15/2019	NOTICE	JCC		TO APPEAR 08/30/19@9AM
19	07/15/2019	SCHEDULING ORDER	JCC		CA OF REQ JURY-SET 8/31@9A
18	06/04/2019	OTHER	JCC		CONT CUST-07/15/19@9AM
17	06/04/2019	ORDER	JCC	GCG	AGREED ORDER FOR BOND
16	06/04/2019	CLERK'S WORKSHEET	JCC		MOT FOR BOND
15	05/30/2019	CLERK'S WORKSHEET	JCC		HILL TURNED HIMSELF IN
14	05/30/2019	CLERK'S WORKSHEET	JCC		EMAIL TO A.HALL-TRIAL DAT
13	02/01/2019	CLERK'S WORKSHEET	JCC		EMAIL FROM CWS-CAPIAS
12	01/30/2019	CLERK'S WORKSHEET	JCC		EMAIL TO CWA ABOUT CAPIAS
11	06/04/2019	OTHER	JCC		RELEASE ORDER
10	06/04/2019	BOND	JCC		
9	05/31/2019	MOTION	BEW		MOTION FOR BOND
8	05/29/2019	MOTION	BEW		EARLIER TRIAL DATE
7	04/08/2019	MOTION	ARP		FILE EVIDENCE BEFORE TRIAL
6	02/06/2019	ORDER	JCC	GCG	DISCOVERY
5	02/06/2019	RESPONSE	JCC		MOT FOR RECIPROCAL DISCOVE
4	01/23/2019	MOTION	JPN		TO ADMIT EVIDENCE
3	01/09/2019	EVALUATION REPORT	TTM		PSYCHOLOGICAL EVAL-GDC
2	01/09/2019	CCRE (NUMBER ONLY)	TTM		
1	01/09/2019	GD PAPERWORK	TTM		